

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

NATIONAL LABOR RELATIONS  
BOARD,

Petitioner,

vs.

ANDERSON EXCAVATING  
COMPANY,

8:20-CV-456

ORDER

Respondent.

This matter is before the Court on the Magistrate Judge's findings and recommendation ([filing 10](#)) recommending that the petitioner's motion to compel ([filing 1](#)) be granted. There is no objection to the findings and recommendation, and [28 U.S.C. § 636\(b\)\(1\)](#) provides for de novo review only when a party objected to the magistrate's findings or recommendations. *See Peretz v. United States*, 501 U.S. 923, 939 (1991). The failure to file an objection eliminates not only the need for de novo review, but *any* review by the Court. *Thomas v. Arn*, 474 U.S. 140, 149-51 (1985); *United States v. Wise*, 588 F.3d 531, 537 n.5 (8th Cir. 2009), *see Daley v. Marriott Int'l, Inc.*, 415 F.3d 889, 893 (8th Cir. 2005). Accordingly,

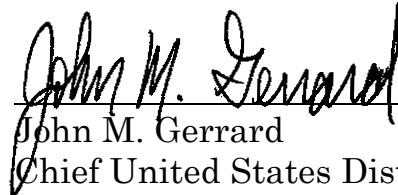
IT IS ORDERED:

1. The Magistrate Judge's findings and recommendation ([filing 10](#)) are adopted.
2. The petitioner's motion to compel ([filing 1](#)) is granted.

3. The respondent shall produce documents and provide written answers to interrogatories to the petitioner in compliance with Subpoena Duces Tecum B-1-17AF9O5 on or before March 5, 2021.
4. The Clerk of the Court shall send a copy of this order and the accompanying judgment to the respondent at its address of record: 1920 Dorcas St, Omaha, NE 68108.

Dated this 18th day of February, 2021.

BY THE COURT:



John M. Gerrard  
Chief United States District Judge